### **AMENDMENTS TO THE CLAIMS**

### Please amend claims 1, 12, and 14-15 as follows:

- (currently amended) <u>A</u> The method of increasing the bioavailability of mineral salts which comprises combining said salts and α-lipoic acid or α-dihydrolipoic acid.
- 12. (currently amended) A method of <u>providing</u> improving cosmetic formulations which comprises adding to said formulations an effective amount of the metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes defined in claim 5.
- 14. (currently amended) A method of <u>providing</u> improving drugs that are used to treat disorders in which lipoic acid has a therapeutic or prophylactic effect and in which there is a mineral salt deficiency which comprises adding to said drugs an effective amount of the metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes defined in claim 5.
- 15. (currently amended) A method of <u>providing improving</u> compositions for treating diabetes, tumors, HIV infections, AIDS, renal insufficiency, malnutrition, protein-energy malnutrition and mineral deficiencies which comprises adding to said compositions the metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes defined in claim 5.

# Please enter new claims 18 through 22, which read as follows:

- 18. (new) A composition comprising (R)-α-lipoic acid or (S)-α-lipoic acid and at least one mineral salt selected from the group consisting of Fe, Cr, Co and Mn salts.
- 19. (new) A metal α-lipoate, metal α-dihydrolipoate or metal-α-lipoic acid complex of the formula II',

$$(M)_{w}(Lp)_{x}(A)_{v}(H_{2}O)_{z}$$
 II'

where

- M is a metal cation selected from the group consisting of cations of Fe, Cr,Co and Mn,
- Lp is racemic α-lipoic acid or α-dihydrolipoic acid, (R)- or (S)-α-lipoic acid or (R)- or (S)-α-dihydrolipoic acid, racemic α-lipoate or dihydro-α-lipoate or (R)- or (S)-α-lipoate or (R)- or (S)-dihydro-α-lipoate,
- A is a physiologically acceptable monovalent or divalent anion,
- w is 1 or 2,
- x is 1, 2, 3 or 4,
- y is 0, 1, 2 or 3 and
- z is 0, 1, 2, 3, 4, 5 or 6,

where the subscripts w, x and y correspond to the valency and charge equalization and

the following compounds are excluded:

Mn(Lip<sup>-</sup>)ClO<sub>4</sub>, Fe<sub>2</sub>(DHL<sub>rac</sub>2-)<sub>3</sub>,

KRAMER et al., Serial No. 09/897,922

where

Lip is monovalent negative racemic or (R)- or (S)- $\alpha$ -lipoate,

 $Lip_{rac}$ - is monovalent negative racemic  $\alpha$ -lipoate,

 $Lip_{rac}$  is racemic  $\alpha$ -lipoic acid and

DHL<sub>rac</sub>2- – is divalent negative racemic  $\alpha$ -dihydrolipoate.

- 20. (new) A composition comprising metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes as claimed in claim 19.
- 21. (new) The metal α-lipoate, metal α-dihydrolipoate or metal-α-lipoic acid complex defined in claim 5, wherein M is a metal cation selected from the group consisting of cations of Fe, Cr, Co and Mn.
- 22. (new) A composition comprising metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes as in claim 21 and α-lipoic acid or α-dihydrolipoic acid.

# **COPY OF ALL CLAIMS**

- 1. (currently amended) A method of increasing the bioavailability of mineral salts which comprises combining said salts and α-lipoic acid or α-dihydrolipoic acid.
- 2. (previously amended) The method of claim 1, wherein at least one mineral salt is combined with  $\alpha$ -lipoic acid or  $\alpha$ -dihydrolipoic acid.
- 3. (previously amended) The method of claim 2, wherein the mineral salts have the formula I,

 $(M)_n(B)_m$ 

where

M is a monovalent to trivalent physiologically acceptable metal cation.

B is a monovalent to trivalent physiologically acceptable anion,

n is 1, 2 or 3 and

m is 1, 2 or 3,

where the subscripts n and m correspond to the valency and charge equalization of the mineral salt of the formula I.

- 4. (previously amended) The method of claim 1, wherein the combination is metal  $\alpha$ -lipoates, metal  $\alpha$ -dihydrolipoates or metal- $\alpha$ -lipoic acid complexes.
- 5. (previously amended) The method of claim 4, wherein the combination is metal  $\alpha$ -lipoates, metal  $\alpha$ -dihydrolipoates or metal- $\alpha$ -lipoic acid complexes of the formula II,

 $(M)_w(Lp)_x(A)_y(H_2O)_z$  II

where

- M is a monovalent to trivalent physiologically acceptable metal cation or a mixture of monovalent to trivalent physiologically acceptable metal cations,
- Lp is racemic a-lipoic acid or a-dihydrolipoic acid, (R)- or (S)-a-lipoic acid or (R)- or (S)-a-dihydrolipoic acid, racemic a-lipoate or dihydro-a-lipoate or (R)- or (S)-a-lipoate or (R)- or (S)-dihydro-a-lipoate,
- A is a physiologically acceptable monovalent or divalent anion,

w is 1 or 2

x is 1, 2, 3 or 4,

y is 0, 1, 2 or 3 and

z is 0, 1, 2, 3, 4, 5 or 6,

where the subscripts w, x and y correspond to the valency and charge equalization of the compound of the formula II.

6. (previously amended) The method of claim 1, wherein the  $\alpha$ -lipoic acid is (R)- $\alpha$ -lipoic acid or the  $\alpha$ -lipoate used is (R)- $\alpha$ -lipoate.

KRAMER et al., Serial No. 09/897,922

### 7-10. (canceled)

- 11. (previously amended) A method of increasing the bioavailability of mineral salts in feedstuff or food supplements which comprises adding to said feedstuff or food supplements an effective amount of the metal  $\alpha$ -lipoates, metal  $\alpha$ -dihydrolipoates or metal- $\alpha$ -lipoic acid complexes defined in claim 5.
- 12. (previously amended) A method of providing cosmetic formulations which comprises adding to said formulations an effective amount of the metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes defined in claim 5.
- 13. (canceled)
- 14. (previously amended) A method of providing drugs that are used to treat disorders in which lipoic acid has a therapeutic or prophylactic effect and in which there is a mineral salt deficiency which comprises adding to said drugs an effective amount of the metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes defined in claim 5.
- 15. (previously amended) A method of providing compositions for treating diabetes, tumors, HIV infections, AIDS, renal insufficiency, malnutrition, protein-energy malnutrition and mineral deficiencies which comprises adding to said compositions the metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes as defined in claim 5.
- 16. (previously added) The method of claim 1, wherein the mineral salts are selected from the group consisting of Fe, Cr, Co and Mn salts.
- 17. (previously added) The method of claim 5 wherein M is a metal cation selected from the group consisting of cations of Fe, Cr, Co and Mn.
- 18. (new) A composition comprising (R)-α-lipoic acid or (S)-α-lipoic acid and at least one mineral salt selected from the group consisting of Fe, Cr, Co and Mn salts.
- 19. (new) A metal  $\alpha$ -lipoate, metal  $\alpha$ -dihydrolipoate or metal- $\alpha$ -lipoic acid complex of the formula II',

 $(M)_w(Lp)_x(A)_y(H_2O)_z$  II' where

- M is a metal cation selected from the group consisting of cations of Fe, Cr, Co and Mn,
- Lp is racemic α-lipoic acid or α-dihydrolipoic acid, (R)- or (S)-α-lipoic acid or (R)- or (S)-α-dihydrolipoic acid, racemic α-lipoate or dihydro-α-lipoate or

### KRAMER et al., Serial No. 09/897,922

(R)- or (S)- $\alpha$ -lipoate or (R)- or (S)-dihydro- $\alpha$ -lipoate,

A is a physiologically acceptable monovalent or divalent anion,

w is 1 or 2,

x is 1, 2, 3 or 4,

y is 0, 1, 2 or 3 and

z is 0, 1, 2, 3, 4, 5 or 6,

where the subscripts w, x and y correspond to the valency and charge equalization and

the following compounds are excluded:

Mn(Lip<sup>-</sup>)CIO<sub>4</sub>, Fe<sub>2</sub>(DHL<sub>rac</sub>2-)<sub>3</sub>,

where

Lip is monovalent negative racemic or (R)- or (S)-α-lipoate,

Lip<sub>rac</sub>- is monovalent negative racemic α-lipoate,

Lip<sub>rac</sub> is racemic α-lipoic acid and

DHL<sub>rac</sub>2- – is divalent negative racemic α–dihydrolipoate.

- 20. (new) A composition comprising metal α-lipoates, metal α-dihydrolipoates or metal-α-lipoic acid complexes as claimed in claim 19.
- 21. (new) The metal  $\alpha$ -lipoate, metal  $\alpha$ -dihydrolipoate or metal- $\alpha$ -lipoic acid complex defined in claim 5, wherein M is a metal cation selected from the group consisting of cations of Fe, Cr, Co and Mn.
- 22. (new) A composition comprising metal  $\alpha$ -lipoates, metal  $\alpha$ -dihydrolipoates or metal- $\alpha$ -lipoic acid complexes as in claim 21 and  $\alpha$ -lipoic acid or  $\alpha$ -dihydrolipoic acid.